

## Tab 5

# Functional Standards



*(c) Functional standards--*

*(1) Consumer complaint logs.*

*(i) States and interstate providers must maintain a log of consumer complaints including all complaints about TRS in the state, whether filed with the TRS provider or the State, and must retain the log until the next application for certification is granted. The log shall include, at a minimum, the date the complaint was filed, the nature of the complaint, the date of resolution, and an explanation of the resolution.*

The Division of Vocational Rehabilitation maintains a log of consumer complaints, including all complaints about Wyoming Relay, whether filed with the previous TRS provider, Sprint Communications, the current TRS provider, Hamilton Telecommunications, or the State. Furthermore, the Division of Vocational Rehabilitation will retain the log at a minimum until the next application for certification is granted. The log includes the date the complaint was filed, the nature of the complaint, the date of resolution and an explanation of the resolution.

All complaints made through the provider's toll-free Customer Service number, the customer inquiry form or on-line feedback form, whether in writing or in person, are documented in the Customer Service database. All resolutions are also documented in this database. **All information is kept on file and available to the Wyoming Division of Vocational Rehabilitation and FCC.** Each database record includes the name and/or address of the complainant, the date and time received, the Communication Assistant identification number, the nature of the complaint, the specific relief or satisfaction sought, the result of the investigation, the resolution of the complaint and date of the resolution. The customer service representative responsible for handling the complaint is also indicated.

The Wyoming Division of Vocational Rehabilitation's complaint log is associated with the following database categories:

- CA Accuracy/Spelling
- CA Typing Speed
- Didn't Follow Database Inst.
- Didn't Follow Customer Inst.
- Didn't Keep Customer Informed
- CA Disconnected Caller
- Everything Relayed
- CA Misdialed number
- Poor Vocal Clarity/Enunciation
- Improperly Handled ASL or Related Culture Issue
- HCO Procedures Not Followed
- VCO Procedures Not Followed
- Replaced CA Improperly in Middle of Call
- Background Noise Not Typed
- Feelings Not Described
- Didn't Follow Voice Mail/Recording Procedure

- Noise In Center
- Agent Was Rude
- Didn't Follow Emergency Call Handling Procedure
- Spanish Service
- Speech To Speech
- Confidentiality Breach
- Connect Time
- CA Typing
- CA Gave Wrong Information
- CA Did Not Follow Policy/Procedure
- Improper Use Of Call Release
- Improper Use Of Speed Dialing
- Improper Handling Of Three Way Calling
- Improper Use Of Customer Data
- CA Hung Up on Caller
- Miscellaneous Service Complaint
- Lost Branding
- Charged For Local Call
- Trouble Linking Up
- Line Disconnected
- Garbled Message
- Database Not Available
- Busy Signal/Blockage
- Carrier Of Choice
- Relay Not Available 24 Hours A Day
- ASCII/Baudot Break-down
- VCO Breakdown
- HCO Breakdown
- STS Breakdown
- Caller ID Not Working Properly
- Ringing/No Answer
- Connect Time
- 711 Problems
- Miscellaneous Technical Complaint
- Rates
- Fraudulent/Harassment Call
- No Notice Of How To Complain To FCC
- LEC External Busy
- 911 External Call
- Captel Complaints
- External Complaints
- Other

*(ii) Beginning July 1, 2002, states and TRS providers shall submit summaries of logs indicating the number of complaints received for the 12-month period ending May 31 to the Commission by July 1 of each year. Summaries of logs submitted to the Commission on July 1, 2001 shall indicate the number of complaints received from the date of OMB approval through May 31, 2001.*

The Division of Vocational Rehabilitation maintains a log of consumer complaints, including all complaints about Wyoming Relay, whether filed with the previous TRS provider, Sprint Communications, the current TRS provider, Hamilton Telecommunications, or the State. Wyoming Relay Service's provider reports complaint activity to the Wyoming Division of Vocational Rehabilitation on a monthly basis. The Wyoming Division of Vocational Rehabilitation, submits the necessary information to the FCC as required in § 64.601 Mandatory Minimum Standards on an annual basis. Copies of the complaint logs submitted in 2001 and 2002 were included in the previous application for recertification. The Wyoming Division of Vocational Rehabilitation has included copies of the 2003 through 2007 logs that were submitted to the Commission in this application for renewal of current state certification. These logs are included in Appendix H. Wyoming Relay Service issues each complaint a Record ID number to enable the Wyoming Division of Vocational Rehabilitation and the FCC to quickly and easily identify the details of those particular complaints and contact information of the complainant. The Division of Vocational Rehabilitation will continue to submit summaries of logs indicating the number of complaints received for the 12-month period ending May 31 to the FCC by July 1 of each year.

*(2) Contact persons. Beginning on June 30, 2000, State TRS Programs, interstate TRS providers, and TRS providers that have state contracts must submit to the Commission a contact person and/or office for TRS consumer information and complaints about a certified State TRS Program's provision of intrastate TRS, or, as appropriate, about the TRS provider's service. This submission must include, at a minimum, the following:*

*(i) The name and address of the office that receives complaints, grievances, inquiries, and suggestions;*

*(ii) Voice and TTY telephone numbers, fax number, e-mail address, and web address; and*

*(iii) The physical address to which correspondence should be sent.*

Wyoming Division of Vocational Rehabilitation has submitted to the Commission a contact person for TRS consumer information and complaints about Intrastate TRS. The submission includes the name and address of the State office that receives complaints, grievances, inquiries and suggestions, voice and TTY telephone numbers, fax number, e-mail address, web address, and physical address to which correspondence should be sent. Following is the name of the contact at the Wyoming Division of Vocational Rehabilitation for those purposes:

Lori Cielinski, TRS Program Consultant  
Division of Vocational Rehabilitation  
851 Werner Court, Suite 120  
Casper, WY 82601  
Voice/TTY: (800) 452-1408

Voice/TTY: 307-577-0539

Fax: (307) 472-5601

Email: [lcieli@state.wy.us](mailto:lcieli@state.wy.us)

Website: [http://www.wyomingworkforce.org/how/vr\\_wyrds.aspx](http://www.wyomingworkforce.org/how/vr_wyrds.aspx)

The Hamilton Telephone Company, d/b/a Hamilton Telecommunications, the provider of Wyoming Relay, has submitted to the Commission a contact person for TRS consumer information and complaints about Hamilton's service. The submission includes the name and address of the state office that receives complaints, grievances, inquiries, and suggestions, voice and TTY telephone numbers, fax number, e-mail address, and physical address to which correspondence should be sent. Following is the name of the contact at The Hamilton Telephone Company for those purposes:

Dixie Ziegler

Vice President of Relay

Hamilton Relay, Inc.

1001 12th Street

Aurora, NE 68818

Voice/TTY: 402-694-3656

Toll Free: 800-618-4781

Fax: 402-694-5037

E-mail: [dixie.ziegler@hamiltonrelay.com](mailto:dixie.ziegler@hamiltonrelay.com)

Website: [www.hamiltonrelay.com](http://www.hamiltonrelay.com)

*(3) Public access to information. Carriers, through publication in their directories, periodic billing inserts, placement of TRS instructions in telephone directories, through directory assistance services, and incorporation of TTY numbers in telephone directories, shall assure that callers in their service areas are aware of the availability and use of all forms of TRS. Efforts to educate the public about TRS should extend to all segments of the public, including individuals who are hard of hearing, speech disabled, and senior citizens as well as members of the general population. In addition, each common carrier providing telephone voice transmission services shall conduct, not later than October 1, 2001, ongoing education and outreach programs that publicize the availability of 711 access to TRS in a manner reasonably designed to reach the largest number of consumers possible.*

Wyoming Relay provides public access to information through various means, which assures that callers in Wyoming are aware of the availability and use of all forms of TRS. Efforts to educate the public about TRS extend to all segments of the public, including individuals who are hard of hearing, speech-disabled, and senior citizens, as well as members of the general population.

### **Telephone directories, periodic billing inserts, and directory assistance**

Every year the Division of Vocational Rehabilitation, Wyoming Relay Services' provider, Hamilton Telecommunications, and the Wyoming Public Service Commission work together to ensure that carriers providing services in Wyoming are provided with information including

phone numbers, instructions, and camera-ready copies to include in their telephone directories and on billing inserts. The Public Service Commission assists by providing names and addresses of all known carriers. Wyoming Relay Service then mails out a letter with a camera-ready directory page and billing insert that the carriers can use directly or take information from to develop their own directory page and billing insert. Last year's letter to the carriers, the telephone directory page, and billing insert are included in Appendix I. Local Exchange Carriers have been provided with Wyoming Relay numbers to be used in their directory assistance services.

## **Community Outreach, Public Relations, and Educational Programs**

Wyoming Relay provides a community and business outreach program that educates **all** people in Wyoming about the relay service. The Division of Vocational Rehabilitation, the relay provider, Hamilton Telecommunications, and the Telecommunications Relay Service Advisory Committee work together to annually determine outreach priorities, and activities that will assure that the citizens in Wyoming are aware of the availability and use of all forms of TRS. These priorities and activities are evaluated on an on going basis to ensure that they are effective and that we are reaching all target audiences. The TRS Advisory Committee felt that it was important that all outreach materials and activities be customized to meet the varying and unique needs of Wyoming Relay users, and, to the extent possible, use actual Wyoming Relay Users in the materials and activities.

Hearing people hanging up on the relay, not initiating calls to relay users, or returning calls from relay users continue to be major outreach problems. Advertising campaigns and outreach programs that focus on the availability and ease of use of 711, and "Don't Hang Up" were developed to address these problems (Please see 711 and "Don't Hang Up" billboards, posters, and print ads in Appendix I.)

Wyoming Relay Service has developed and disseminates educational brochures which are included in Appendix I. There is a general relay brochure that provides basic information on relay including information on all the call types, how to make relay calls from pay phones, and how users can file complaints, concerns, or compliments with either Wyoming Relay Service or the FCC. We have additional brochures that provide specific information on the various forms of TRS including brochures for TTY users, Voice users, VCO users, HCO users, STS users, CapTel™ users, and Spanish speaking users

Presentations, demonstrations, workshops, and instructional seminars have been conducted to educate the public about Wyoming Relay. These extend to all segments of the public, including individuals who are hard of hearing, speech-disabled, and senior citizens, as well as members of the general population. Wyoming Relay disseminates give away items, and informational items at these presentations to further enhance awareness of the relay service. Examples of the different segments of the public receiving education are: WY-HI, which is a statewide gathering of deaf, and hard-of-hearing, and deaf-blind students, and their teachers, parents, and service providers; The Deaf Association of Wyoming; University of Wyoming students and staff; Community College students and staff; Wyoming Registry of Interpreters for the Deaf; Victim Services; the State Rehabilitation Council; Division of Vocational Rehabilitation counselors and

assistants; Independent Living Center staff; Assistive Technology Program staff; Department of Health's Case Manager Conference, which is a conference for a broad spectrum of service providers including those for senior citizens, individuals with speech disabilities, and deaf, hard-of-hearing and deaf-blind individuals; hospitals; senior citizen centers; health fairs; Governor's Conference on Aging; domestic violence shelters; all police officers attending Peace Officer's Basic Training at the Law Enforcement Academy; all 911 Dispatchers attending Communications Basic Training at the Law Enforcement Academy; detention officers attending Detention Basic Training at the Law Enforcement Academy; individual users and their families; non-profit organizations; Employment Services; Social Security; Town Hall meetings held around the state which are open to the public; Wyoming School for the Deaf Reunion; court staff; mental health providers; YMCA staff; employers; Mega Conference which is a conference for individuals with disabilities, their families and service providers; and members of the Red Feather Eagle Advisory Committee which provides vocational rehabilitation on the Wind River Indian Reservation. Appendix I contains additional list of outreach activities conducted by Wyoming Relay Services provider.

Newsletters have been sent to Wyoming Relay users, and an additional newsletter sent specifically to CapTel users informing them of new relay features, usage tips, and happenings. Additionally Wyoming Relay Service has submitted articles and information for inclusion in the Deaf Association of Wyoming newsletter as well as their listserve. Wyoming Relay Service provides an overview of the services available for publication in the Wyoming Public Service's annual report.

Wyoming Relay Service has a web page which is part of Wyoming's Department of Workforce Services, Division of Vocational Rehabilitation's webpage. This can be found at [http://wyomingworkforce.org/how/vr\\_wyrds.aspx](http://wyomingworkforce.org/how/vr_wyrds.aspx). Additionally, Wyoming Relay Service has a web page which is part of Hamilton Telecommunications' web page. This can be found at <http://www.hamiltonrelay.com/states/wy.htm>.

Wyoming Relay Service has produced, aired, and circulated a variety of paid advertisements including paid television commercials, radio commercials, print ads in newspapers and classified newspapers such as the Quick Quarter, billboards, sport stadium signage, and posters. (Samples of the print media is included in Appendix I and samples of the aired media is available on request). Carefully consideration is given in selecting appropriate media to ensure that it reaches both geographically as well as by user type the widest audience possible. Wyoming Relay has also participated in informative news shows on both radio and television. Wyoming Relay Service is currently collaborating with Montana Relay Service to do a trial of shared advertising along their border.

Wyoming Relay Service's provider has developed an educational DVD that covers the benefits as well as how-to instruction for the various forms of relay. (This DVD is available on request). Additionally, Wyoming Relay Service has developed an education program, called Wyoming Relay-Friendly Business Program. In addition to providing education on being accessible to relay customers and using relay the education program also provides the business with tools to avoid being a victim of Internet relay fraud.

*(4) Rates. TRS users shall pay rates no greater than the rates paid for functionally equivalent voice communication services with respect to such factors as the duration of the call, the time of day, and the distance from the point of origination to the point of termination.*

Wyoming Relay users incur no telephone charges for calls inbound to the relay center. As explained in Tab 4, Wyoming Relay's provider performs no billing. All billing is performed by the relay users' carrier of choice for both intralata and interlata toll calls. Thus the relay users' carrier of choice bills all intralata and interlata toll calls at their applicable discounted rate for relay users. Wyoming Relay's provider forwards the appropriate information digits identifying the call as a relay call to the carrier so that it can be identified as a relay call, rated and billed accordingly by the carrier. Each carrier providing long distance service to relay users is responsible to ensure that TRS users shall pay no greater than the rates paid for functionally equivalent voice communication services.

*(5) Jurisdictional separation of costs.*

*(i) General. Where appropriate, costs of providing TRS shall be separated in accordance with the jurisdictional separation procedures and standards set forth in the Commission's regulations adopted pursuant to section 410 of the Communications Act of 1934, as amended.*

Wyoming Relay's provider presents NECA with a billing statement for all interstate minutes of relay in accordance with the requirements of NECA and consistent with FCC rulings. All intrastate minutes of use are billed to the Wyoming Division of Vocational Rehabilitation and compensated from the Wyoming Relay Fund.

*(ii) Cost recovery. Costs caused by interstate TRS shall be recovered from all subscribers for every interstate service, utilizing a shared-funding cost recovery mechanism. Except as noted in this paragraph, with respect to VRS, costs caused by intrastate TRS shall be recovered from the intrastate jurisdiction. In a state that has a certified program under § 64.605, the state agency providing TRS shall, through the state's regulatory agency, permit a common carrier to recover costs incurred in providing TRS by a method consistent with the requirements of this section. Costs caused by the provision of interstate and intrastate VRS shall be recovered from all subscribers for every interstate service, utilizing a shared-funding cost recovery mechanism.*

Costs caused by intrastate TRS are recovered from a fund established by the Wyoming Legislature in House Bill 377, Section 1 W.S. § 16-9-201 through 16-9-210. The Telecommunications Relay Service Advisory Committee is responsible for annually determining the amount of the special fee, not to exceed twenty-five cents (\$.25) per access line per month, based upon available cost data and other information. That will cover the costs of providing intrastate message relay services as provided in Section 401 of the Americans with Disability Act of 1990, including the cost of implementing and administering this Act. The fee has remained at six cents (\$.06) per access line since January 1, 2002. After the Committee notifies the Public Service Commission, in writing, of the amount determined for the monthly access line special fee, the Public Service Commission shall provide for the inclusion and identification of the special fee on each monthly billing for service from each local exchange company and radio communications service provider. The billings read TELECOMMUNICATION RELAY

SERVICE FUND. Wyoming Relay Service is financially supported by every Wyoming ratepayer and the cost recovery mechanism is consistent with ADA requirements. (See Appendix A, State Legislation, and Appendix J, Cost Recovery Mechanism).

*(iii) Telecommunications Relay Services Fund. Effective July 26, 1993, an Interstate Cost Recovery Plan, hereinafter referred to as the TRS Fund, shall be administered by an entity selected by the Commission (administrator). The initial administrator, for an interim period, will be the National Exchange Carrier Association, Inc.*

Not applicable.

*(A) Contributions. Every carrier providing interstate telecommunications services shall contribute to the TRS Fund on the basis of interstate end-user telecommunications revenues as described herein. Contributions shall be made by all carriers who provide interstate services, including, but not limited to, cellular telephone and paging, mobile radio, operator services, personal communications service (PCS), access (including subscriber line charges), alternative access and special access, packet-switched, WATS, 800, 900, message telephone service (MTS), private line, telex, telegraph, video, satellite, intraLATA, international and resale services.*

Not applicable.

*(B) Contribution computations. Contributors' contribution to the TRS fund shall be the product of their subject revenues for the prior calendar year and a contribution factor determined annually by the Commission. The contribution factor shall be based on the ratio between expected TRS Fund expenses to interstate end-user telecommunications revenues. In the event that contributions exceed TRS payments and administrative costs, the contribution factor for the following year will be adjusted by an appropriate amount, taking into consideration projected cost and usage changes. In the event that contributions are inadequate, the fund administrator may request authority from the Commission to borrow funds commercially, with such debt secured by future years' contributions. Each subject carrier must contribute at least \$25 per year. Carriers whose annual contributions total less than \$1,200 must pay the entire contribution at the beginning of the contribution period. Service providers whose contributions total \$1,200 or more may divide their contributions into equal monthly payments. Carriers shall complete and submit, and contributions shall be based on, a "Telecommunications Reporting Worksheet" (as published by the Commission in the Federal Register). The worksheet shall be certified to by an officer of the contributor, and subject to verification by the Commission or the administrator at the discretion of the Commission. Contributors' statements in the worksheet shall be subject to the provisions of section 220 of the Communications Act of 1934, as amended. The fund administrator may bill contributors a separate assessment for reasonable administrative expenses and interest resulting from improper filing or overdue contributions. The Chief of the Consumer & Governmental Affairs Bureau may waive, reduce, modify or eliminate contributor reporting requirements that prove unnecessary and require additional reporting requirements that the Bureau deems necessary to the sound and efficient administration of the TRS Fund.*

Not applicable.

*(C) Data collection from TRS Providers. TRS providers shall provide the administrator with true and adequate data necessary to determine TRS fund revenue requirements and payments. TRS providers shall provide the administrator with the following: total TRS minutes of use, total interstate TRS minutes of use, total TRS operating expenses and total TRS investment in general accordance with part 32 of the Communications Act, and other historical or projected information reasonably requested by the administrator for purposes of computing payments and revenue requirements. The administrator and the Commission shall have the authority to examine, verify and audit data received from TRS providers as necessary to assure the accuracy and integrity of fund payments.*

Not applicable.

*(D) [Reserved]*

*(E) Payments to TRS Providers. TRS Fund payments shall be distributed to TRS providers based on formulas approved or modified by the Commission. The administrator shall file schedules of payment formulas with the Commission. Such formulas shall be designed to compensate TRS providers for reasonable costs of providing interstate TRS, and shall be subject to Commission approval. Such formulas shall be based on total monthly interstate TRS minutes of use. TRS minutes of use for purposes of interstate cost recovery under the TRS Fund are defined as the minutes of use for completed interstate TRS calls placed through the TRS center beginning after call set-up and concluding after the last message call unit. In addition to the data required under paragraph (c)(5)(iii)(C) of this section, all TRS providers, including providers who are not interexchange carriers, local exchange carriers, or certified state relay providers, must submit reports of interstate TRS minutes of use to the administrator in order to receive payments. The administrator shall establish procedures to verify payment claims, and may suspend or delay payments to a TRS provider if the TRS provider fails to provide adequate verification of payment upon reasonable request, or if directed by the Commission to do so. The TRS Fund administrator shall make payments only to eligible TRS providers operating pursuant to the mandatory minimum standards as required in § 64.604, and after disbursements to the administrator for reasonable expenses incurred by it in connection with TRS Fund administration. TRS providers receiving payments shall file a form prescribed by the administrator. The administrator shall fashion a form that is consistent with parts 32 and 36 procedures reasonably tailored to meet the needs of TRS providers. The Commission shall have authority to audit providers and have access to all data, including carrier specific data, collected by the fund administrator. The fund administrator shall have authority to audit TRS providers reporting data to the administrator. The formulas should appropriately compensate interstate providers for the provision of VRS, whether intrastate or interstate.*

Not applicable.

*(F) TRS providers eligible for receiving payments from the TRS Fund are:*

*(1) TRS facilities operated under contract with and/or by certified state TRS programs pursuant to § 64.605; or*

*(2) TRS facilities owned by or operated under contract with a common carrier providing interstate services operated pursuant to § 64.604; or*

*(3) Interstate common carriers offering TRS pursuant to § 64.604; or*

*(4) Video Relay Service (VRS) and Internet Protocol (IP) Relay providers certified by the Commission pursuant to §64.605.*

Not applicable.

*(G) Any eligible TRS provider as defined in paragraph (c)(5)(iii)(F) of this section shall notify the administrator of its intent to participate in the TRS Fund thirty (30) days prior to submitting reports of TRS interstate minutes of use in order to receive payment settlements for interstate TRS, and failure to file may exclude the TRS provider from eligibility for the year.*

Not applicable.

*(H) Administrator reporting, monitoring, and filing requirements. The administrator shall perform all filing and reporting functions required in paragraphs (c)(5)(iii)(A) through (c)(5)(iii)(J) of this section. TRS payment formulas and revenue requirements shall be filed with the Commission on May 1 of each year, to be effective the following July 1. The administrator shall report annually to the Commission an itemization of monthly administrative costs which shall consist of all expenses, receipts, and payments associated with the administration of the TRS Fund. The administrator is required to keep the TRS Fund separate from all other funds administered by the administrator, shall file a cost allocation manual (CAM) and shall provide the Commission full access to all data collected pursuant to the administration of the TRS Fund. The administrator shall account for the financial transactions of the TRS Fund in accordance with generally accepted accounting principles for federal agencies and maintain the accounts of the TRS Fund in accordance with the United States Government Standard General Ledger. When the administrator, or any independent auditor hired by the administrator, conducts audits of providers of services under the TRS program or contributors to the TRS Fund, such audits shall be conducted in accordance with generally accepted government auditing standards. In administering the TRS Fund, the administrator shall also comply with all relevant and applicable federal financial management and reporting statutes. The administrator shall establish a non-paid voluntary advisory committee of persons from the hearing and speech disability community, TRS users (voice and text telephone), interstate service providers, state representatives, and TRS providers, which will meet at reasonable intervals (at least semi-annually) in order to monitor TRS cost recovery matters. Each group shall select its own representative to the committee. The administrator's annual report shall include a discussion of the advisory committee deliberations.*

Not applicable.

*(I) Information filed with the administrator. The administrator shall keep all data obtained from contributors and TRS providers confidential and shall not disclose such data in company-*

*specific form unless directed to do so by the Commission. Subject to any restrictions imposed by the Chief of the Consumer & Governmental Affairs Bureau, the TRS Fund administrator may share data obtained from carriers with the administrators of the universal support mechanisms (See 47 CFR 54.701 of this chapter), the North American Numbering Plan administration cost recovery (See 47 CFR 52.16 of this chapter), and the long-term local number portability cost recovery (See 47 CFR 52.32 of this chapter). The TRS Fund administrator shall keep confidential all data obtained from other administrators. The administrator shall not use such data except for purposes of administering the TRS Fund, calculating the regulatory fees of interstate common carriers, and aggregating such fee payments for submission to the Commission. The Commission shall have access to all data reported to the administrator, and authority to audit TRS providers. Contributors may make requests for Commission nondisclosure of company-specific revenue information under § 0.459 of this chapter by so indicating on the Telecommunications Reporting Worksheet at the time that the subject data are submitted. The Commission shall make all decisions regarding nondisclosure of company-specific information.*

Not applicable.

*(J) The administrator's performance and this plan shall be reviewed by the Commission after two years.*

Not applicable.

*(K) All parties providing services or contributions or receiving payments under this section are subject to the enforcement provisions specified in the Communications Act, the Americans with Disabilities Act, and the Commission's rules.*

Not applicable.

*(6) Complaints.*

*(i) Referral of complaint. If a complaint to the Commission alleges a violation of this subpart with respect to intrastate TRS within a state and certification of the program of such state under § 64.605 is in effect, the Commission shall refer such complaint to such state expeditiously.*

*(ii) Intrastate complaints shall be resolved by the state within 180 days after the complaint is first filed with a state entity, regardless of whether it is filed with the state relay administrator, a state PUC, the relay provider, or with any other state entity.*

The Wyoming Division of Vocational Rehabilitation has resolved, and will resolve, all intrastate complaints within 180 days after the complaint is first filed with the State, regardless of whether the complaint is filed with the state relay administrator, a state PUC, the relay provider, or with any other state entity. (See Appendix H, Consumer Complaint Logs 2003, 2004, 2005, 2006, 2007).

Intrastate Wyoming Relay complaints are processed in the following manner for the Wyoming Division of Vocational Rehabilitation by its TRS provider:

Trained personnel answer all Wyoming Relay Customer Service calls. Wyoming Relay provides a 24 hour a day, 7 days a week customer service via a toll-free telephone number, accessible from anywhere in the U.S., to assist TTY and voice callers with Wyoming TRS inquiries and complaints. Customers may also contact Wyoming Relay via e-mail and through the Wyoming relay web-site; in person; as well as in writing. Any caller to the relay center having a complaint can reach a supervisor or customer service representative while still on line during a relay call. Wyoming Relay processes any complaints, which originate via e-mail, fax, telephone, regular mail, outreach events, at the workstations, etc.

Ultimately responsible for processing all inquiries, comments and complaints is Wyoming's Relay Center Manager. The Vice President of Relay also views all complaint information.

In the event of a complaint regarding Wyoming Relay, trained staff will follow an established procedure of complaint resolution. This process varies depending on the gravity of the situation.

- A Complaint involving a Communication Assistant is directed to the Communication Assistant's Supervisor and the Lead Supervisor. Constructive feedback will be shared with the Communication Assistant and appropriate coaching, re-training and counseling steps will be taken by the primary Supervisor to resolve the situation. Wyoming Relay's detailed call records show each key command (not actual text) the CA makes. Wyoming Relay can easily investigate Wyoming Relay CA complaints and take disciplinary action when needed.
- Complaints regarding service/procedure issues are directed to the appropriate internal personnel. Technical issues are given to the technical support staff Wyoming Relay uses and addressed immediately. Procedural issues are discussed at internal quality meetings.

All complaints are reviewed by the Wyoming Relay Center Manager to ensure that complaints have been resolved to the customer's satisfaction. The Customer Service Team resolves most customer service complaints. If further action is needed, the complaint is escalated to the Vice President of Relay Service for Hamilton, and then to the Wyoming Division of Vocational Rehabilitation when needed. All complaints are resolved within 10 calendar days depending on the complexity of the problem. Wyoming Relay describes the above procedures and FCC complaint processes, including contact information for both the Wyoming Division of Vocational Rehabilitation and the FCC, in appropriate printed outreach material that is distributed to the general public.

If the user is not satisfied with the resolution of the complaint by Wyoming Relay or with any action taken, Wyoming Relay's monthly report to the Wyoming Division of Vocational Rehabilitation will so state. The user then has the opportunity and is given written notice of that opportunity by Wyoming Relay to have the complaint and action of Wyoming Relay reviewed by the Wyoming Division of Vocational Rehabilitation for such action as it may deem appropriate in accordance with its rules and regulation. The Wyoming Division of Vocational Rehabilitation will act on such complaint no later than 180 days from the filing of the complaint.

The Wyoming Division of Vocational Rehabilitation will process all complaints referred by the Federal Communication's Commission for intrastate Telecommunications Relay Service for the State of Wyoming. The Wyoming Division of Vocational Rehabilitation will cooperate in the investigation or resolution of any and all complaints concerning the Wyoming Relay with the Federal Communication's Commission.

*(iii) Jurisdiction of Commission. After referring a complaint to a state entity under paragraph (c)(6)(i) of this section, or if a complaint is filed directly with a state entity, the Commission shall exercise jurisdiction over such complaint only if:*

*(A) Final action under such state program has not been taken within:*

*(1) 180 days after the complaint is filed with such state entity; or*

*(2) A shorter period as prescribed by the regulations of such state; or*

*(B) The Commission determines that such state program is no longer qualified for certification under § 64.605.*

The Wyoming Division of Vocational Rehabilitation understands that if it does not provide a resolution to a complaint that the FCC may exercise jurisdiction.

*(iv) The Commission shall resolve within 180 days after the complaint is filed with the Commission any interstate TRS complaint alleging a violation of section 225 of the Act or any complaint involving intrastate relay services in states without a certified program. The Commission shall resolve intrastate complaints over which it exercises jurisdiction under paragraph (c)(6)(iii) of this section within 180 days.*

The Wyoming Division of Vocational Rehabilitation understands that the Commission will resolve intrastate complaints over which it exercises jurisdiction under paragraph (c)(6)(iii) of this section within 180 days.

*(v) Complaint Procedures. Complaints against TRS providers for alleged violations of this subpart may be either informal or formal.*

*(A) Informal Complaints.*

*(1) Form. An informal complaint may be transmitted to the Consumer & Governmental Affairs Bureau by any reasonable means, such as letter, facsimile transmission, telephone (voice/TRS/TTY), Internet e-mail, or some other method that would best accommodate a complainant's hearing or speech disability.*

*(2) Content. An informal complaint shall include the name and address of the complainant; the name and address of the TRS provider against whom the complaint is made; a statement of facts supporting the complainant's allegation that the TRS provided it has violated or is violating section 225 of the Act and/or requirements under the Commission's rules; the specific relief or satisfaction sought by the complainant; and the complainant's preferred format or method of*

*response to the complaint by the Commission and the defendant TRS provider (such as letter, facsimile transmission, telephone (voice/TRS/TTY), Internet e-mail, or some other method that would best accommodate the complainant's hearing or speech disability).*

*(3) Service; designation of agents. The Commission shall promptly forward any complaint meeting the requirements of this subsection to the TRS provider named in the complaint. Such TRS provider shall be called upon to satisfy or answer the complaint within the time specified by the Commission. Every TRS provider shall file with the Commission a statement designating an agent or agents whose principal responsibility will be to receive all complaints, inquiries, orders, decisions, and notices and other pronouncements forwarded by the Commission. Such designation shall include a name or department designation, business address, telephone number (voice and TTY), facsimile number and, if available, internet e-mail address.*

*(B) Review and disposition of informal complaints.*

*(1) Where it appears from the TRS provider's answer, or from other communications with the parties, that an informal complaint has been satisfied, the Commission may, in its discretion, consider the matter closed without response to the complainant or defendant. In all other cases, the Commission shall inform the parties of its review and disposition of a complaint filed under this subpart. Where practicable, this information shall be transmitted to the complainant and defendant in the manner requested by the complainant (e.g., letter, facsimile transmission, telephone (voice/TRS/TTY) or Internet e-mail.*

*(2) A complainant unsatisfied with the defendant's response to the informal complaint and the staff's decision to terminate action on the informal complaint may file a formal complaint with the Commission pursuant to paragraph (c)(6)(v)(C) of this section.*

The Wyoming Division of Vocational Rehabilitation understands that complainants may file an informal complaint with respect to intrastate TRS directly with the Commission without going through the internal complaint mechanism available in our state. Although this has never happened, the Division of Vocational Rehabilitation has been, and will be, supportive of the FCC's complaint mechanism and will assist as necessary in this process. The Division of Vocational Rehabilitation has provided the FCC with the agent and all the required contact information, from both the state, as well as the provider, whose principal responsibility has been and will be to receive all complaints, inquiries, orders, decision, and notices and other pronouncements forwarded by the Commission.

*(C) Formal complaints. A formal complaint shall be in writing, addressed to the Federal Communications Commission, Enforcement Bureau, Telecommunications Consumer Division, Washington, DC 20554 and shall contain:*

*(1) The name and address of the complainant,*

*(2) The name and address of the defendant against whom the complaint is made,*

*(3) A complete statement of the facts, including supporting data, where available, showing that such defendant did or omitted to do anything in contravention of this subpart, and*

*(4) The relief sought.*

*(D) Amended complaints. An amended complaint setting forth transactions, occurrences or events which have happened since the filing of the original complaint and which relate to the original cause of action may be filed with the Commission.*

*(E) Number of copies. An original and two copies of all pleadings shall be filed.*

*(F) Service.*

*(1) Except where a complaint is referred to a state pursuant to §64.604(c)(6)(i), or where a complaint is filed directly with a state entity, the Commission will serve on the named party a copy of any complaint or amended complaint filed with it, together with a notice of the filing of the complaint. Such notice shall call upon the defendant to satisfy or answer the complaint in writing within the time specified in said notice of complaint.*

*(2) All subsequent pleadings and briefs shall be served by the filing party on all other parties to the proceeding in accordance with the requirements of § 1.47 of this chapter. Proof of such service shall also be made in accordance with the requirements of said section.*

*(G) Answers to complaints and amended complaints. Any party upon whom a copy of a complaint or amended complaint is served under this subpart shall serve an answer within the time specified by the Commission in its notice of complaint. The answer shall advise the parties and the Commission fully and completely of the nature of the defense and shall respond specifically to all material allegations of the complaint. In cases involving allegations of harm, the answer shall indicate what action has been taken or is proposed to be taken to stop the occurrence of such harm. Collateral or immaterial issues shall be avoided in answers and every effort should be made to narrow the issues. Matters alleged as affirmative defenses shall be separately stated and numbered. Any defendant failing to file and serve an answer within the time and in the manner prescribed may be deemed in default.*

*(H) Replies to answers or amended answers. Within 10 days after service of an answer or an amended answer, a complainant may file and serve a reply which shall be responsive to matters contained in such answer or amended answer and shall not contain new matter. Failure to reply will not be deemed an admission of any allegation contained in such answer or amended answer.*

*(I) Defective pleadings. Any pleading filed in a complaint proceeding that is not in substantial conformity with the requirements of the applicable rules in this subpart may be dismissed.*

The Wyoming Division of Vocational Rehabilitation understands that complainants may file a formal complaint with respect to intrastate TRS directly with the Commission without going through the internal complaint mechanism available in our state. Although this has never happened, the Division of Vocational Rehabilitation has been, and will be, supportive of the FCC's complaint mechanism and will assist as necessary in this process.

*(7) Treatment of TRS customer information. Beginning on July 21, 2000, all future contracts between the TRS administrator and the TRS vendor shall provide for the transfer of TRS*

*customer profile data from the outgoing TRS vendor to the incoming TRS vendor. Such data must be disclosed in usable form at least 60 days prior to the provider's last day of service provision. Such data may not be used for any purpose other than to connect the TRS user with the called parties desired by that TRS user. Such information shall not be sold, distributed, shared or revealed in any other way by the relay center or its employees, unless compelled to do so by lawful order.*

All contracts between the Wyoming Division of Vocational Rehabilitation and past, current, and future TRS vendors provide for the transfer of TRS customer profile data. Hamilton Telecommunications will provide the above mentioned data to any new vendor at least 60 days prior to the conclusion or termination of the contract.

The Division of Vocational Rehabilitation ensures that any provider of relay service for the state of Wyoming has not and will not use customer profile data for any purpose other than to connect the TRS user with the called parties desired by that TRS user. The Division of Vocational Rehabilitation ensures that any provider of relay service for the state of Wyoming has not and will not make any relay information available for sale, distribution, to be shared or revealed in any other way than for purpose of connecting the TRS user with the called parties desired by that TRS user. Hamilton Telecommunications will not sell, distribute, share or reveal in any way the information referenced above.